

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arbogast et al. Confirmation No.: 6754
Serial No.: 10/661,032
Filing Date: September 11, 2003
For: MULTIVALENT CONSTRUCTS FOR THERAPEUTIC AND
DIAGNOSTIC APPLICATIONS
Examiner: D. Jones
Group Art Unit: 1618

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMUNICATION IN RESPONSE TO NOTICE OF NON-COMPLIANT
INFORMATION DISCLOSURE STATEMENT**

Sir:

This Communication is being filed in response to the Notice of Non-Compliant Information Disclosure Statement (“Notice”) mailed in the above-identified application on December 13, 2005.

Applicants note that a Notice was received by applicants in connection with the Information Disclosure Statement filed by applicants on August 28, 2006 (“August 28, 2006 IDS”) which stated that the August 28, 2006 IDS failed to meet the requirements of 37 C.F.R. § 1.97(d) and therefore would not be considered. Applicants also note that they later received an examiner-initialed copy of the August 28, 2006 IDS, thus confirming that this August 28, 2006 IDS was indeed compliant.

Applicants then called the Examiner to clarify the August 28, 2006 IDS situation. During the interview, the Examiner stated that she had indeed considered the references in the August 28, 2006 IDS and did not know how the Notice came to be issued. The Examiner also stated that the prosecution history shows that the August 28, 2006 IDS was indeed considered. Applicants thank the Examiner for her courtesy during the January 23, 2007 telephone interview.

In the interest of speedy prosecution of this application, applicants submit the above statement to clarify the record in this application to note that the August 28, 2006 IDS was considered by the Examiner, and is therefore compliant.

No fees are believed to be due in connection with the filing of this Communication. However, the Director is hereby authorized to charge any required fees or credit any overpayment to Deposit Account No. 50-0540.

Respectfully submitted,

Dated: January 25, 2007

/Henry J. Cittone/
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